APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,733	04/26/2005	Marcus Burgel	2002P16722WOUS	6283

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EXAMINER
BLACK, LINH

ART UNIT	PAPER NUMBER
2169	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/532,733	BURGEL ET AL.
	Examiner	Art Unit	
	LINH BLACK	2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *7-10 and 15-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *7-10 and 15-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This communication is responsive to the Applicant's response dated 12/14/08. Claims

7-10 and 15-20 are pending in the application. Claim 7 is an independent claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 7-10 and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated

by Kadel, JR. et al. (US 10/532,733).

As per claim 7, Kadel teaches

providing a source file described in an extensible markup language – paragraphs 63

(XML source file), 73, 83, fig. 30.

structuring the extensible markup language data in the source file in the form of objects,

wherein components of the objects are stored in first files (object-specific generic

container), wherein the components each represent a logical unit of an object – pars. 69

(the concept of a framework is an important part of OO programming technique. A

framework is a specification of the classes and the relationships between classes such

that the framework defines a class hierarchy that can be used over and over again...);

85 (a built-in data type hierarchy for XML schemas is used to provide types to

attributes...to determine relationships between information elements...", 226, 301-305

(hierarchically structured tags and XML schema).

providing a second file having a first mechanism for referencing the components as a

higher-order, object-based logical level for storing; and selectively directly accessing the

objects – pars. 85 (structural hierarchy in XML schemas is used to determine

relationships between information elements. All documents and schema references to

other documents are followed up to their sources in order to specify further attribute or

relationship information), 99 (obtains a reference to a data source), 184, 332.

providing hierarchical structuring of object complexes and distribution of data of objects

among a plurality of files, the hierarchical structuring of object complexes enabling a

reading-in tool to pass over or avoid having to read or process portions of the source file

data organized as distinct object when seeking other portions of the source file data for

use in the application - pars. 142, 176 (a data item is defined as any unit of

information... each information element is defined in terms of entities (data source or

data consumer component), ...attributes (name/value)...), 273, 301-302 (XML formatted

data...hierarchically structured tags...parses the XML schema appropriate for it and

constructs metadata specifications appropriate for the contents of each tag...they refer

directly to already precompiled procedures...and exposes the content in the

standardized information representation using this metadata), 318 (attribute category),

334.

providing the reading-in tool, wherein the reading-in tool passes over or avoids reading,

or processing portions of the source file data identifiable as distinct objects when

seeking other portions of the source file data for use in the application – pars. 80

(framework of object oriented software components…These applications are structured

in a way so that there are distinct data source components and data consumer

components…the ability to store a reference without direct access to the related item

itself), 203-204 (unique id data item), 310 (XML data parsing), 327(embedded in the

XML are custom information enabling determination of data location in files or

databases…based on unique Ids or names…)

As per claim 8, Kadel teaches

wherein the components are themselves objects – pars. 14, 94.

As per claim 9, Kadel teaches

wherein the components are stored in object-specific generic containers, and wherein

the containers are provided for referencing the respective object – pars. 97, 109, 208,

129.

As per claim 10, Kadel teaches

wherein the extensible markup language is XML – pars. 63, 301.

As per claims 15-17, Kadel teaches

wherein the reading-in tool is a parser; wherein the parser is a XML-parser; wherein the

reading-in tool passes over data beginning from a certain start tag up to the associated

end tag – pars. 301-310, 334.

As per claim 18, Kadel teaches

wherein parts of objects are distributed among a plurality of files, wherein a core

information necessary for identifying the object and its type is present in a source file

and wherein the object's actual useful information is relocated to a relocation file – pars.

71, 78, 114, 232.

As per claim 19, Kadel teaches

wherein references to relocated objects contain an object identification data, data

regarding a target file in which the object is located and object identification data in the

target file – pars. 172, 339.

As per claim 20, Kadel teaches

wherein the object identification data in the target file is an object ID and an object name
– par. 327.

Response to Arguments

Applicant's arguments with respect to claims 7-10 and 15-20 have been
considered but are not persuasive. Regarding the Applicant's argument on page 4 that
the applied prior art does not reference data of an extensible markup language file…of
Kadel is not in the context of XML data. Examiner disagrees.

Kadel discloses in par. 83 the importing structured data sources such as an XML
document into a system as described herein in which any application written using the
disclosed system and/or framework can utilize these data sources through a standard
interface; 138 (a data consumer may access a data source via a data source interface
object …communication between the DSI objects and data consumers in the framework
is mediated through a set of application programming interfaces…);

Regarding the Applicant's argument on page 5 that "nothing in Kadel disclosure
comports with "hierarchical structuring of object complexes enabling a reading in tool to
pass over or avoid having to read or process portions of the source file data organized
as distinct objects when seeking other portions of the source file data for use in the
application…"" Examiner disagrees.   Kadel discloses in pars. 69 that the concept of a
framework is an important part of OO programming technique. A framework is a
specification of the classes and the relationships between classes such that the
framework defines a class hierarchy that can be used over and over again…; par. 85: a

built-in data type hierarchy for XML schemas is used to provide types to attributes…to

determine relationships between information elements…"; par. 273 (if the field is a

complex object, it is exposed as a linked element via a reference unless a special class

has registered to handle the complex object type within the XIS framework or the

application context); pars. 301-302 (XML formatted data…hierarchically structured

tags…<u>parses the XML schema appropriate for it and constructs metadata specifications</u>

<u>appropriate for the contents of each tag…they refer directly to already precompiled</u>

<u>procedures…and exposes the content in the standardized information representation</u>

<u>using this metadata</u>). Thus, Kadel does disclose a hierarchical structuring of

objects/components in which objects can be of the complex type.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

       Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LINH BLACK whose telephone number is 571-272-

4106. The examiner can normally be reached on Mon.-Thurs..

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trujillo can be reached on 571-272-3677. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

       Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                             LINH BLACK
                                             Examiner
                                             Art Unit 2169

/HUNG Q. PHAM/
Primary Examiner, Art Unit 2169